

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHANIE D. POLLAY

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security

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CIVIL ACTION

NO. 07-4032

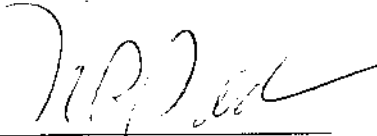
**ORDER**

**AND NOW**, this 25th day of November, 2008, upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitariski dated October 22, 2008, to which no objections have been filed, **IT IS HEREBY ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. **JUDGMENT** is **ENTERED** in favor of Plaintiff, **REVERSING** the decision of the Commissioner of Social Security for the purposes of this remand only;
3. Plaintiff's Request for Review (Docket No. 5) is **GRANTED IN PART** and **DENIED IN PART**; and
4. The case is **REMANDED** to the Commissioner of the Social Security Administration in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report and Recommendation; and

5. The Clerk of Court is directed to mark this case closed.

BY THE COURT:

  
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John R. Padova, J.